

[Counsel listed on signature page]

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

IN RE: JUUL LABS, INC. ANTITRUST LITIGATION  
This Document Relates To:  
ALL ACTIONS

Case No. 3:20-cv-02345-WHO  
STIPULATION AND [~~PROPOSED~~] ORDER STAYING  
CASE PENDING FTC PROCEEDING

1 The undersigned parties jointly stipulate and agree, subject to the Court's approval, to amend  
2 case deadlines, and hereby state as follows:

3 WHEREAS, on July 8, 2022, the Court entered the Joint Stipulation and Order for Extension of  
4 Time to Respond to Complaint Pursuant to Local Rule 6-1 (ECF. No. 327) extending Defendants'  
5 deadline to respond to Direct Purchaser Plaintiffs' Second Amended Complaint ("DPP's SAC") until  
6 August 12, 2022;

7 WHEREAS, DPP's SAC, the Indirect Purchaser Plaintiffs' ("IPP") Amended Consolidated Class  
8 Action Complaint ("IPP's ACC"), and the Indirect Reseller Plaintiffs' ("RIP") Amended Consolidated  
9 Class Action Complaint ("RIP's ACC") allege antitrust claims under the Sherman Act for damages  
10 resulting from Defendants' alleged unlawful agreement;

11 WHEREAS, on April 1, 2020, the FTC filed an administrative complaint (the "FTC Complaint")  
12 challenging, *inter alia*, the lawfulness of certain agreements between Defendants;

13 WHEREAS, the allegations in the FTC Complaint overlap with the claims in DPP's SAC, the IPP's  
14 ACC, and the RIP's ACC;

15 WHEREAS, on February 17, 2022, the Administrative Law Judge overseeing the FTC proceeding  
16 dismissed the FTC Complaint;

17 WHEREAS, on April 5, 2022, the FTC filed an appeal, challenging the dismissal of the FTC  
18 Complaint ("FTC Appeal");

19 WHEREAS, the parties anticipate the possibility of a further appeal to a U.S. Court of Appeals  
20 depending on the outcome of the FTC Appeal; and

21 WHEREAS, the parties agree that this action would benefit from being stayed until the FTC  
22 Appeal and any subsequent appeal to a Court of Appeals is concluded.

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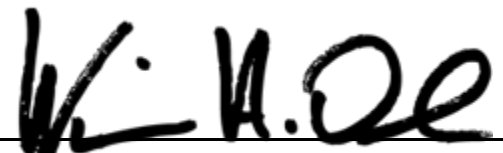
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1 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned  
2 counsel, that the Parties have agreed as follows: (1) that this action be stayed until the expiration of  
3 time to file an appeal to a Court of Appeals or until a decision in or dismissal of an appeal to a Court of  
4 Appeals; and (2) that the Parties will provide an update to this Court regarding the status of the FTC  
5 action no later than six (6) months from the date this order is entered.  
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7 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**  
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9 Date: August 18, 2022

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12 HONORABLE WILLIAM H. ORRICK  
13 United States District Judge  
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1 Dated: August 12, 2022

Respectfully submitted,

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3 **JOSEPH SAVERI LAW FIRM, LLP**

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**E-Filing Attestation**

I, Joseph R. Saveri, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories identified above have concurred in this filing.

By: /s/ Joseph R. Saveri  
Joseph R. Saveri